

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF	COURT CASE NUMBER 1:01-CV-0983	
Laborers Local Union 158, et al.		
DEFENDANT	TYPE OF PROCESS WRit of Execution	
Virbitsky Construction Co. & Thomas Virbitsky		
SERVE	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Virbitsky Construction Company, Inc.	
AT	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) R.R.1, Box 83E, Forest City, PA 18421	
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:		
Ira H. Weinstock, Esquire 800 North Second Street Harrisburg, PA 17102		Number of process to be served with this Form - 285 1
		Number of parties to be served in this case
		Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold _____

Please serve Defendant, Virbitsky Construction Company, Inc. Defendant's Phone No. is 570-222-5545 and Defendant may be served during normal business hours.

Fold _____

Signature of Attorney or other Originator requesting service on behalf of: <i>J.M. Weinstock</i>	<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER 717-238-1657	DATE 8/16/02
<input type="checkbox"/> DEFENDANT			

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY -- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process No. 67	District of Origin No. 67	District to Serve No. 67	Signature of Authorized USMS Deputy or Clerk <i>O. Lavelle</i>	Date 9/18/02
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I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below. I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) <i>Molly VIRBITSKY - auth to accept for Thomas Virbitsky (Pres)</i>	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
Address (complete only if different than shown above)	Date of Service 9/23/02
	Time 3:00 pm
	Signature of U.S. Marshal or Deputy <i>R. S. Lavelle</i>

Service Fee 45.00	Total Mileage Charges (including endeavors) —	Forwarding Fee —	Total Charges 45.00	Advance Deposits 45.00	Amount owed to U.S. Marshal or FILED SCRANTON	Amount of Refund
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REMARKS:

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF	Laborers Local Union 158, et al.	COURT CASE NUMBER	1:01-CV-0983
DEFENDANT	Virbitsky Construction Co. & Thomas Virbitsky	TYPE OF PROCESS	Writ of Execution
SERVE	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Penn Star Bank (Formerly Pioneer American Bank)		
AT	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 927 South State Street, Clarks Summit, PA 18411		

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:	Number of process to be served with this Form - 285	1
Ira H. Weinstock, Esquire 800 North Second Street Harrisburg, PA 17102	Number of parties to be served in this case	
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, A' Telephone Numbers, and Estimated Times Available For Service):

Fold Serve Papwork only! Fold

~~Please serve Garnishee and seize any monies belonging to either Defendant which is in possession of the Garnishee, sufficient to satisfy the judgment of \$2,484.08, plus costs, which has been entered against said Defendants, and convey said monies to Plaintiffs. The Garnishee's telephone number is 570-585-2978 and the Garnishee may be served during normal business hours.~~

Signature of Attorney or other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER	DATE
<u>Ira H. Weinstock</u>	<input type="checkbox"/> DEFENDANT	717-238-1657	8/16/02

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy or Clerk	Date
		No. 47	No. 47	<u>G. Lavelle</u>	9/18/02

I hereby certify and return that I have personally served, I have legal evidence of service, I have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)	A person of suitable age and discretion then residing in the defendant's usual place of abode.	
<u>MARY Lou Miller - BRANCH MANAGER</u>	<input type="checkbox"/>	
Address (complete only if different than shown above)	Date of Service	Time
<u>11 Miles 2/02</u>	<u>9/23/02</u>	<u>9:30 am</u>
Signature of U.S. Marshal or Deputy		
<u>Ryan S. Bell</u>		

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
<u>45.00</u>	<u>8.03</u>	<u>—</u>	<u>53.03</u>	<u>45.00</u>	<u>8.03</u>	<u>FILLED</u>

REMARKS:

CLERK'S SIGNATURE

SEP 25 2002

PER

RECEIVED

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United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF	COURT CASE NUMBER							
Laborers Local Union 158, et al.		1:01-CV-0983						
DEFENDANT	TYPE OF PROCESS							
Virbitsky Construction Co., & Thomas Virbitsky		Writ of Execution						
SERVE	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN							
→	Thomas Virbitsky							
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)								
AT	R.R. 1, Box 83E, Forest City, PA 18421							
SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:								
<p>Ira H. Weinstock, Esquire 800 North Second Street Harrisburg, PA 17102</p>								
<table border="1"> <tr> <td>Number of process to be served with this Form - 285</td> <td>1</td> </tr> <tr> <td>Number of parties to be served in this case</td> <td></td> </tr> <tr> <td>Check for service on U.S.A.</td> <td></td> </tr> </table>			Number of process to be served with this Form - 285	1	Number of parties to be served in this case		Check for service on U.S.A.	
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Check for service on U.S.A.								

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold Fold

Please serve Defendant, Thomas Virbitsky. Defendant's telephone no. is 570-222-5545 and Defendant may be served during normal business hours.

Signature of Attorney or other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER	DATE
<u>Ira H. Weinstock</u>	<input type="checkbox"/> DEFENDANT	717-238-1657	8/16/02

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin No. <u>67</u>	District to Serve No. <u>47</u>	Signature of Authorized USMS Deputy or Clerk <u>Q. Lavelle</u>	Date <u>9/18/02</u>
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I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above) <u>Molly Virbitsky - wife</u>	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.
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Address (complete only if different than shown above) <u>37 miles SW</u>	Date of Service <u>9/23/02</u>	Time <u>3:00 pm</u>
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Service Fee <u>45.00</u>	Total Mileage Charges (including endeavors) <u>27.01</u>	Forwarding Fee <u>—</u>	Total Charges <u>72.01</u>	Advance Deposits <u>45.00</u>	Amount owed to U.S. Marshal or Clerk <u>27.01</u>	Amount of Refund <u>FILED SCRANTON</u>
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REMARKS:

SEP 25 2002

PER J
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LABORERS' LOCAL UNION 158,
LABORERS LOCAL UNION 158
HEALTH AND WELFARE FUND
and LABORERS LOCAL UNION
158 PENSION FUND,

FILED
SCRANTON
SEP 16 2002
PER :Amo
DEPUTY CLERK

Plaintiffs, : CASE NO. 1:01-CV-0983

vs. :

VIRBITSKY CONSTRUCTION
COMPANY, INC. and THOMAS
VIRBITSKY,

(Judge Kane)

Defendants. :

WRIT OF EXECUTION

**TO THE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA:**

To satisfy the judgment, interest and costs against Virbitsky Construction Company, Inc. and Thomas Virbitsky, Defendants:

- (1) you are directed to levy upon the property of the Defendants and to sell his interest therein;

- (2) you are also directed to attach the property of the Defendants not levied upon in the possession of PIONEER AMERICAN BANK as garnishee, any and all monies or properties in the possession of garnishee whether such property is held individually by Virbitsky Construction Company, Inc. or Thomas Virbitsky, and to notify the garnishee that
 - (a) an attachment has been issued;
 - (b) the garnishee is enjoined from paying any debt to or for the account of the Defendants and from delivering any property of the Defendants or otherwise disposing thereof.
- (3) if property of the Defendants not levied upon and subject to attachment is found in the possession of anyone other than a named garnishee, you are directed to notify him that he has been added as a garnishee and is enjoined as above stated.

Amount due: \$ 2,484.08

Interest:

Costs:

DATED: September 16, 2002

MARY E. D'ANDREA, Clerk

Anne Oswald
Deputy Clerk